

EXHIBIT 1

STATE OF SOUTH CAROLINA)
)
 COUNTY OF GREENWOOD)

IN THE COURT OF COMMON PLEAS

ERIC T. BROOKER,)
)
 PLAINTIFFS,)
)
 VS.)
)
)
 WAREHOUSE HOME)
 FURNISHING DISTRIBUTORS,)
 INC.)
)
 DEFENDANT.)
 _____)

SUMMONS

2020-CP-24 _____

(JURY TRIAL DEMANDED)

TO: THE DEFENDANT ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action of which a copy is herewith served upon you and to serve a copy of your Answer on the subscribed at her office, 100 East Pickens Street, P. O. Box 805, Abbeville, South Carolina, within thirty (30) days after the service hereof, exclusive of the day of such service; and if you fail to answer the Complaint within the time aforesaid, the Plaintiff will apply to the Court for relief demanded in the Complaint.

HITE & STONE

BY: *s/Heather Hite Stone (SC BAR NO.: 72503)*
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Abbeville, South Carolina
November 10, 2020

STATE OF SOUTH CAROLINA)) COUNTY OF GREENWOOD)	IN THE COURT OF COMMON PLEAS
ERIC T. BROOKER,)) PLAINTIFFS,)) VS.))) WAREHOUSE HOME) FURNISHING DISTRIBUTORS,) INC.)) DEFENDANT.) <hr style="width: 30%; margin-left: 0;"/>	COMPLAINT 2020-CP-24_____ (JURY TRIAL DEMANDED)

The Plaintiff complaining of the Defendant herein would respectfully show unto this Honorable Court:

1. That the Plaintiff is a citizen and resident and of the County of Abbeville, State of South Carolina.
2. That the Defendant, Warehouse Home Furnishing Distributors, Inc. (“Warehouse Home Furnishing”), upon information and belief, is a corporation organized and existing in a state other than the State of South Carolina and doing business in Greenwood County, State of South Carolina.
3. That the tort and negligence occurred in the County of Greenwood, State of South Carolina. Venue, therefore, is proper in Greenwood County, South Carolina, pursuant to S.C. Code Ann. §15-7-30.
4. The Defendant is liable for the acts and omissions of their respective agents and/or employees’ negligence, gross negligence, willfulness, wantonness, recklessness and other liability

forming conduct that caused harm to Plaintiff. At all relevant times, agents and/or employees of the Defendant had the right and/or power to direct and control the manner in which its employees and/or agents executed their duties.

FACTS

5. That on or about July 18, 2019, the Plaintiff, Eric Brooker, was an invitee and picking up a sectional chair for his mother-in-law, at the Defendant's place of business located at 242 Highway 72 Bypass NW, Greenwood, SC 29649.

6. The Plaintiff's mother-in-law had requested that he pick up a sectional chair that she had purchased from the Defendant.

7. The Plaintiff assisted one of the agents and/or employees of the Defendant with moving the sectional chair from the warehouse which was located at the back of the Defendant's store.

8. The Plaintiff picked up one side of the chair as the agent/employee carried the other side.

9. The employee then dropped the entire weight of the sectional chair onto the Plaintiff, injuring the Plaintiff's back.

10. That the Defendant and their employees and/or agents were negligent, negligent per se, grossly negligent, careless, reckless, willful and wanton in the following particulars, to wit:

- a. In dropping the piece of furniture on the Plaintiff;
- b. In failing to move the piece of furniture in a safe manner;
- c. In failing to train their agent/employee on the proper way to move furniture;
- d. In allowing individuals to work in the Defendant's place of business who were

reckless and/or careless in the manner in which they moved furniture;

e. In failing to hire adequate personnel to move furniture in a safe manner;

All of which were a direct and proximate cause of injuries and damages suffered by the Plaintiff herein, said acts occurring in violation of the statutes and laws of the State of South Carolina.

11. That as a direct and proximate result of the aforementioned acts of negligence, gross negligence, recklessness, willfulness, wantonness, and unlawful acts and/or omissions on the part of the Defendant and its agents/employees, the Plaintiff has sustained serious, severe and painful injuries to his person, which injuries have necessitated medical care and treatment, including, but not limited to, the costly care and treatment of a doctor; together with hospitalization at a local hospital; together with the costs of MRIs, X-rays, surgery, rehabilitation/physical therapy; among others. Plaintiff has incurred physical and mental pain and suffering. The Plaintiff was out of work for several months due to the injuries he suffered. The Plaintiff continues to suffer from pain and discomfort as a result of his injuries and is informed and believes that the same will continue indefinitely, all adding to his loss and damages in a sum to be determined by the jury for both actual and punitive damages.

WHEREFORE, the Plaintiff demands judgment against the Defendant for actual and punitive damages, for the costs of this action, and for such other and further relief that this Court deems just, equitable, and proper.

HITE & STONE

BY: s/Heather Hite Stone (SC BAR NO.: 72503)
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Abbeville, South Carolina
November 10, 2020

STATE OF SOUTH CAROLINA)
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COUNTY OF GREENWOOD)

IN THE COURT OF COMMON PLEAS
CIVIL ACTION NO.: 2020-CP-24-01030

ERIC T. BROOKER,)
)
PLAINTIFFS,)
)
VS.)
)
)
WAREHOUSE HOME)
FURNISHING DISTRIBUTORS,)
INC.)
)
DEFENDANT.)
)

ACCEPTANCE OF SERVICE

The undersigned hereby certifies that they are the attorney for the above named Defendant, Warehouse Home Furnishing Distributors, and accepts service of the Summons and Complaint filed with the Greenwood County Clerk of Court on November 16, 2020 (Case No.: 2020-CP-24-01030) on behalf of the Plaintiff. The Defendant, Warehouse Home Furnishing Distributors, Inc., retains a copy thereof this _____ day of _____, 2020.

Attorney for Defendant, Warehouse Home Furnishing
Distributors, Inc.

SWORN BEFORE ME THIS
_____ DAY OF _____, 2020

NOTARY PUBLIC FOR SOUTH CAROLINA
MY COMMISSION EXPIRES: _____